

Permitting & Assistance Branch Staff Report
Solid Waste Facilities Permit Modification for the Mission Road Recycling & Transfer Station
SWIS No. 19-AR-1183
January 20, 2012

Background Information, Analysis, and Findings:

This report was developed in response to the City of Los Angeles Local Enforcement Agency (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed Solid Waste Facilities Permit modification for the Mission Road Recycling & Transfer Station, SWIS No. 19-AR-1183, located in the City of Los Angeles, owned and operated by Waste Management Collection and Recycling, Inc. A copy of the proposed permit is attached. This report contains the Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was received on December 2, 2011. A new proposed permit was received on January 9, 2012 and January 24, 2012. Action must be taken on this proposed permit no later than March 24, 2012. If no action is taken by March 24, 2012, the Department will be deemed to have concurred with the issuance of the proposed modified permit.

Proposed Changes

The following changes (**in bold**) to the permit are being proposed:

	Current Permit (2005 SWFP)	Proposed Permit
Local Enforcement Agency Name and Address	City of Los Angeles Environmental Affairs Department 200 N. Spring Street Suite 1905 Mail Stop 248 Los Angeles, CA 90012	City of Los Angeles Department of Building and Safety 3550 Wilshire Blvd., 18 th Floor Los Angeles, CA 90010
Findings	<p>a. This permit is consistent with the County Solid Waste Management Plan and a Finding of Conformance was approved on October 15, 1992 by the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force. <i>[Public Resources Code (PRC), Section 50000(a)(1)].</i></p> <p>b. The facility is identified in the City of Los Angeles Non-Disposal Facility Element, dated June 2001. <i>[Public Resources Code (PRC), Section 50001(a)(2)].</i></p> <p>c. This Permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB). [PRC, Section 44010].</p> <p>d. Salvaging and recycling operations will be conducted as a part of this facilities operation. Permit provisions applying to salvage</p>	<p>a. This permit is consistent with the County Solid Waste Management Plan and a Finding of Conformance was approved on October 15, 1992 by the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force. <i>[Public Resources Code (PRC), Section 50000(a)(1)].</i></p> <p>b. The facility is identified in the City of Los Angeles Non-Disposal Facility Element, dated June 2001. <i>[Public Resources Code (PRC), Section 50001(a)(2)].</i></p> <p>c. This Permit is consistent with standards adopted by the California Department of Resources Recycling and Recovery (CalRecycle). [PRC, Section 44010].</p> <p>d. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined</p>

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	<p>operations at the site are provided under the “Conditions” portion of this permit. Recovered wood, cardboard, paper, metal, plastics, inert and organic materials are loaded into trailers or roll off containers for shipment to markets.</p> <p>e. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the Local Enforcement Agency (LEA) during the inspection of December 2, 2004.</p> <p>f. The local fire protection agency, the Los Angeles City Fire Department, has determined that the facility is in conformance with applicable standards as required in <i>PRC, Section 44151.</i></p> <p>g. A Negative Declaration (SCH#88122128) dated December 1988 and finalized in March 1989 has been filed with the State Clearinghouse pursuant to <i>PRC, Section 21081.</i> On June 18, 2004, the Department of City Planning adopted a Mitigated Negative Declaration (ENV-2003-7893-MND) for an increase in daily tonnage and limited outside operations at the facility.</p> <p>h. Zoning Variance No. ZA 88-0869 (ZV) was issued to this facility and approved by the Zoning Administrator on November 4, 1988. At this time the facility was deemed consistent with the City of Los Angeles General Plan and meets the zoning requirements, as verified by the City of Los Angeles Planning Department. [<i>PRC, Section 50000.5(a)</i>].</p> <p>i. The facility is located in an area of the City of Los Angeles, which is designated as an M-3-2 zone, heavy industrial. Operation of a solid waste transfer station is allowed in M-3 zones. Land within 1,000 feet of this facility is zoned M-2 and M-3, and is compatible with the facility [<i>PRC, Section 50000.5(b)</i>].</p> <p>j. Based on the current Transfer/Processing Report (TPR), revised May 12, 2004, the LEA is satisfied that this facility will provide measures to adequately control noise levels, gas/odor nuisances, traffic congestion, litter nuisances, and vectors such that there will be no</p>	<p>by the Local Enforcement Agency (LEA).</p> <p>e. The local fire protection agency, the Los Angeles City Fire Department, has determined that the facility is in conformance with applicable standards as required in <i>PRC, Section 44151.</i></p> <p>f. This facility will comply with all federal, state, and local requirements and enactments including all mitigation measures given in any certified environmental document filed pursuant to the <i>Public Resources Code, Section 21081.6.</i></p> <p>g. The operator will comply with all of the requirements of all applicable laws pertaining to employee health and safety.</p> <p>h. A Negative Declaration (SCH#88122128) dated December 1988 and finalized in March 1989 has been filed with the State Clearinghouse pursuant to <i>PRC, Section 21081.</i> On June 18, 2004, the Department of City Planning adopted a Mitigated Negative Declaration (ENV-2003-7893-MND) for an increase in daily tonnage and limited outside operations at the facility.</p> <p>i. Zoning Variance No. ZA 88-0869 (ZV) was issued to this facility and approved by the Zoning Administrator on November 4, 1988. At this time the facility was deemed consistent with the City of Los Angeles General Plan and meets the zoning requirements, as verified by the City of Los Angeles Planning Department. [<i>PRC, Section 50000.5(a)</i>].</p> <p>j. The facility is located in an area of the City of Los Angeles, which is designated as an M-3-2 zone, heavy industrial. Operation of a solid waste transfer station is allowed in M-3 zones. Land within 1,000 feet of this facility is zoned M-2 and M-3, and is compatible with the facility [<i>PRC, Section 50000.5(b)</i>].</p> <p>k. Based on the current Transfer/Processing Report (TPR), revised July 1, 2011, the LEA is satisfied that this facility will provide measures to adequately control noise levels, gas/odor nuisances, traffic congestion, litter nuisances, and vectors such that there will be no</p>

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	significant impact on the local residence. k. Wastes which can be received at this facility are “Nonhazardous Solid Waste” as defined by California Code of Regulations, Title 27, Division 2, Chapter 3, Section 20220, which includes: Residential, Commercial, Industrial, Greenwaste, Recyclables and Construction and Demolition waste. These wastes are currently disposed of at either Bradley Landfill and Recycling Center , Landcaster Landfill, Antelope Valley Landfill, or Chandler’s Landfill, however, waste can be disposed of at alternative permitted landfills.	significant impact on the local residences. 1. Wastes which can be received at this facility are “Nonhazardous Solid Waste” as defined by California Code of Regulations, Title 27, Division 2, Chapter 3, Section 20220, which includes: Residential, Commercial, Industrial, Greenwaste, Recyclables and Construction and Demolition waste. These wastes are currently disposed of at Landcaster Landfill, Antelope Valley Landfill, or Chandler’s Landfill, however, waste can be disposed of at alternative permitted landfills.
Prohibitions	In the event that hazardous waste or suspected hazardous waste are brought into the facility the operator is required to follow procedures for obtaining information, notification, handling and disposal as outlined in Appendix A – Hazardous, Liquid, and Special Wastes of the TPR.	In the event that hazardous waste or suspected hazardous waste are brought into the facility the operator is required to follow procedures for obtaining information, notification, handling and disposal as outlined in the TPR.
The following documents also describe and/or restrict the design/operation of this facility	Report of Transfer/Processing Facility Information June 22, 2000 May 12, 2004 (Revised)	Report of Transfer/Processing Facility Information July 1, 2011
	Land Use Permits and Zone Variance (88-0869ZV) November 1988	Land Use Permits and Zone Variance (88-0869ZV) November 1988
	Zone Variance Amendment (ZA 98-0325ZV (PA1)) June 18, 2004	Zone Variance Amendment (ZA 98-0325ZV (PA1)) June 18, 2004
	Negative Declaration (SCH#88122128) March 1989	Negative Declaration (SCH#88122128) March 1989
	Mitigated Negative Declaration (ENV-2003-7893-MND) Adopted June 18, 2004	Mitigated Negative Declaration (ENV-2003-7893-MND) Adopted June 18, 2004
	Identification in Non-Disposal Facility Element June 2001	Identification in Non-Disposal Facility Element June 2001
	Finding of Conformance – LA Co SWTF April 1989	Finding of Conformance – LA Co SWTF April 1989
	Local & County Ordinances Municipal Code	Local & County Ordinances Municipal Code
	Storm Water Discharge Permit (#4B19S002666) October 1992	Storm Water Discharge Permit (#4B19S002666) October 1992
Conditions	A. Requirements: 1. This facility shall comply with all State Minimum Standards for Solid Waste Handling and Disposal. 2. This facility shall comply with all federal, state, and local	A. Requirements: 1. This facility shall comply with all State Minimum Standards for Solid Waste Handling and Disposal. 2. Information concerning the design and operation of the facility shall be

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	<p>requirements and enactments including all mitigation measures given in any certified environmental document filed pursuant to the Public Resources Code, Section 21081.6.</p> <p>3. This facility shall comply with all notices and orders issued by any responsible agency designated any the Lead Agency to monitor the mitigation measures contained in any of the documents referenced within this permit pursuant to the Public Resources Code 21081.6.</p> <p>4. All recyclables shall be stored within designated areas in a neat and orderly manner so as to not generate litter, harbor vectors or pose a nuisance.</p> <p>5. Information concerning the design and operation of the facility shall be furnished, in a timely manner, on request to the LEA.</p> <p>6. The operator shall maintain a copy of this permit at the facility so as to be available at all times to facility personnel and to Enforcement Agencies' personnel.</p> <p>7. Signs shall be provided to ensure orderly and safe operation of the facility. The operator shall install and maintain signs at the entrance indicating the type of materials that are accepted.</p> <p>8. The operator shall comply with the established Litter Control Program as outlined in Appendix A of the TPR, and the April 1989 approved Finding of Conformance. This program includes tarping requirements, containment of litter, site and facility clean-up and monitoring procedures. It is the responsibility of the operator to keep all surrounding streets, within a 1,000 foot radius used for ingress and egress free of litter resulting from the facility operation.</p> <p>9. The operator must provide additional dust control measures upon the request of the LEA, if such measures, as provided in the Appendix A of the TPR, prove to be inadequate.</p> <p>10. Noise levels at the property boundaries shall be in conformance with the City Noise Ordinance No. 156.363, which states that the maximum permissible noise level for an M3-2 Zone is 70 decibels. Approved hearing protection shall</p>	<p>furnished, in a timely manner, on request to the LEA.</p> <p>3. The operator shall maintain a copy of this permit at the facility so as to be available at all times to facility personnel and to Enforcement Agencies' personnel.</p> <p>4. Signs shall be provided to ensure orderly and safe operation of the facility. The operator shall install and maintain signs at the entrance indicating the type of materials that are accepted.</p> <p>5. The operator shall comply with the established Litter Control Program as outlined in the TPR, and the April 1989 approved Finding of Conformance. This program includes tarping requirements, containment of litter, site and facility clean-up and monitoring procedures. It is the responsibility of the operator to keep all surrounding streets, within a 1,000 foot radius used for ingress and egress, free of litter resulting from the facility operation.</p> <p>6. The operator must provide additional dust control measures upon the request of the LEA if such measures, as provided in the TPR, prove to be inadequate.</p> <p>B. Provisions:</p> <p>1. This permit is subject to review by the LEA and may be suspended, revoked or modified at any time for sufficient cause.</p> <p>2. The LEA reserves the right to suspend or modify this permit when deemed necessary due to an emergency, a potential health hazard or the creation of a public nuisance.</p> <p>3. The operator shall notify the LEA, in writing, of any proposed significant changes in the routine facility operation of changes in facility design during the planning stages. In no case shall the operator undertake any changes unless the operator first submits to the LEA a notice of said changes at least 180 days before said changes are undertaken, and those changes are approved by the LEA. Any significant changes as determined by the LEA would require a revision of this permit.</p> <p>4. A summary of all pilot projects must be submitted to the LEA in writing</p>

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	<p>be provided for employees and visitors, if necessary.</p> <p>11. The operator shall comply with all of the requirements of all applicable laws pertaining to employee health and safety.</p> <p>B. Provisions:</p> <ol style="list-style-type: none"> 1. This permit is subject to review by the LEA and may be suspended, revoked or modified at any time for sufficient cause. 2. The LEA reserves the right to suspend or modify this permit when deemed necessary due to an emergency, a potential health hazard or the creation of a public nuisance. 3. The operator shall notify the LEA, in writing, of any proposed significant changes in the routine facility operation of changes in facility design during the planning stages. In no case shall the operator undertake any changes unless the operator first submits to the LEA a notice of said changes at least 180 days before said changes are undertaken, and those changes are approved by the LEA. Any significant changes as determined by the LEA would require a revision of this permit. 4. A summary of all pilot projects must be submitted to the LEA in writing prior to the implementation of that pilot project. The LEA must approve all pilot projects before they can be implemented. 5. The operator must notify the LEA 45 days in advance of any proposed change in ownership or operator. 6. In the event that any landfill proposed for final disposal of this facility's waste closes, denies, or limits access, the facility operator/owner must immediately notify the LEA and submit a plan to address the issue of handling and disposing of the permitted waste tonnage limit. This plan must be reviewed by the LEA prior to its implementation. 7. The operator shall make periodic evaluations of handling operations and incoming wastes to assess the feasibility of increasing the materials diversion rate. <p>C. LEA Specifications:</p> <ol style="list-style-type: none"> 1. Operational controls shall be 	<p>prior to the implementation of that pilot project. The LEA must approve all pilot projects before they can be implemented.</p> <ol style="list-style-type: none"> 5. The operator must notify the LEA 45 days in advance of any proposed change in ownership or operator. 6. In the event that any landfill proposed for final disposal of this facility's waste closes, denies, or limits access, the facility operator/owner must immediately notify the LEA and submit a plan to address the issue of handling and disposing of the permitted waste tonnage limit. This plan must be reviewed by the LEA prior to its implementation. <p>C. LEA Specifications:</p> <ol style="list-style-type: none"> 1. Operational controls shall be established to preclude the receipt and disposal of hazardous waste and volatile organic chemicals or other types of prohibited wastes. The operator shall comply with the approved Hazardous Waste Load Checking Program as described in the TPR. Any changes in this program must be approved by the LEA prior to implementation. The following Solid Waste Facility Permit conditions supplement those conditions: <ol style="list-style-type: none"> (a) The minimum number of random waste vehicle loads to be inspected daily at this facility is one (1). (b) The number of random incoming vehicle loads to be inspected each day is determined by the LEA and shall be related to the permitted daily volume of refuse received by the facility. A random load check shall be performed at a rate of 1 truck per every 1,000 tons of waste received. The LEA reserves the right to increase the required number of incoming waste load inspections. (c) The personnel training and load check procedures necessary for the program must be submitted and approved by the LEA. Visual inspections are to be performed by trained spotters and equipment operators. The LEA must review and approve this program and operation.

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	<p>established to preclude the receipt and disposal of hazardous waste and volatile organic chemicals or other types of prohibited wastes. The operator shall comply with the approved Hazardous Waste Load Checking Program as described in Appendix D of the TPR. Any changes in this program must be approved by the LEA prior to implementation. The following Solid Waste Facility Permit conditions supplement those conditions:</p> <ol style="list-style-type: none"> (1) The minimum number of random waste vehicle loads to be inspected daily at this facility is one (1). (2) The number of random incoming vehicle loads to be inspected each day is determined by the LEA and shall be related to the permitted daily volume of refuse received by the facility. A random load check shall be performed at a rate of 1 truck per every 1,000 tons of waste received. The LEA reserves the right to increase the required number of incoming waste load inspections. (3) The personnel training and load check procedures necessary for the program must be submitted and approved by the LEA. Visual inspections are to be performed by trained spotters and equipment operators. The LEA must review and approve this program and operation. Additional measures may be required upon the request of the LEA. (4) In the event that hazardous or suspected hazardous wastes are brought into the facility, the operator is required to follow procedures for obtaining information, notification, handling and disposal as outlined in Appendix D of the TPR (Hazardous Waste Load Check Program). (5) Suspected hazardous wastes must be stored in the hazardous waste containment area, if they are stored overnight. (6) It is the responsibility of the facility operator to dispose of any prohibited materials (hazardous 	<p>Additional measures may be required upon the request of the LEA.</p> <ol style="list-style-type: none"> (d) In the event that hazardous or suspected hazardous wastes are brought into the facility, the operator is required to follow procedures for obtaining information, notification, handling and disposal as outlined in the TPR (Hazardous Waste Load Check Program). (e) Suspected hazardous wastes must be stored in the hazardous waste containment area if they are stored overnight. (f) It is the responsibility of the facility operator to dispose of any prohibited materials (hazardous or suspected hazardous materials, liquid, sludges, radioactive or medical wastes). (g) Incidents of unlawful disposal of prohibited materials shall be reported to the LEA monthly as described in the monitoring section of this permit. In addition, the following agencies shall be notified immediately, after each occurrence, if applicable, of any incidents of illegal hazardous materials disposed. <ol style="list-style-type: none"> (1) Los Angeles County Fire Prevention Bureau, Hazardous Materials Division (2) Environmental Crimes Division, L.A. County District Attorney (3) California Highway Patrol <p>2. The operator shall maintain a daily log of special/unusual occurrences. If there are no special occurrences for a given day, that day's entry shall read "none". This log shall include, but are not necessarily limited to:</p> <p>Any loads refused entry into the facility, potentially live ammunition, fires, explosions, earthquakes, discharge of hazardous liquids or gases to the ground or the atmosphere, or significant injuries, accidents, or property damage.</p> <p>Each of these entries shall be</p>

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	<p>or suspected hazardous materials, liquid, sludges, radioactive or medical wastes) in accordance with all local, state and federal regulations.</p> <p>(7) Incidents of unlawful disposal of prohibited materials shall be reported to the LEA monthly as described in the monitoring section of this permit. In addition, the following agencies shall be notified immediately, after each occurrence, if applicable, of any incidents of illegal hazardous materials disposed.</p> <p>(a) Los Angeles County Fire Prevention Bureau, Hazardous Materials Division</p> <p>(b) Environmental Crimes Division, L.A. County District Attorney</p> <p>(c) California Highway Patrol</p> <p>2. The operator shall maintain a daily log of special/unusual occurrences. If there are no special occurrences for a given day, that days' entry shall read "none". This log shall include, but are not necessarily limited to:</p> <p>Any loads refused entry into the facility, potentially live ammunition, fires, explosions, earthquakes, discharge of hazardous liquids or gases to the ground or the atmosphere, or significant injuries, accidents, or property damage.</p> <p>Each of these entries shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The operator shall maintain this log at the facility so as to be available at all times to site personnel and to the Enforcement Agencies' personnel. Any of these specified entries made in this log must be promptly reported to the LEA. Call the duty officer, City of Los Angeles, Environmental Affairs Department, at (213) 978-0892, Monday through Friday 8:00 AM to 5:00 PM. For after hour incidents, the operator shall call the pager</p>	<p>accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The operator shall maintain this log at the facility so as to be available at all times to site personnel and to the Enforcement Agencies' personnel. Any of these specified entries made in this log must be promptly reported to the LEA. The facility operator shall notify the LEA by phone or email within 24 hours of the specified special occurrence. Only authorized personnel can make entries into this log. A summary of the Log of Special Occurrences shall be submitted to the LEA in an Annual Report. If a situation arises that cannot be handled by facility personnel then call 911 or another outside emergency agency appropriate for the situation as listed in the TPR. The LEA shall be notified immediately after the appropriate outside emergency agency has been notified.</p> <p>3. The operator shall maintain, at the facility, accurate <u>daily</u> records of the weight and/or volume of the refuse received. These records shall be made available to the LEA and the CalRecycle for inspection and shall be maintained on site for a period of at least three years.</p> <p>4. The permitted daily capacity of this facility has been determined to be 1,785 tons per day. On no day shall more than 1,785 tons of non-hazardous solid wastes, including recyclable materials, be received at this facility, unless permission is obtained from the LEA.</p> <p>5. The operator shall provide daily sweeping of the entire transfer facility and all wastes shall be removed from the facility within 24 hours of acceptance. If water is used as the cleaning agent, runoff from such wash downs shall not leave the site and must only go to the drain and clarifier provided.</p> <p>6. The permitted facility operator is responsible to ensure that all subcontractors working onsite are in compliance with all permit conditions.</p> <p>7. The entire area within the permitted</p>

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	<p>number provided to them by the LEA. Only authorized personnel can make entries into this log. A summary of the Log of Special Occurrences shall be submitted to the LEA in an Annual Report. If a situation arises that cannot be handled by facility personnel then call 911 or another outside emergency agency appropriate for the situation as listed in Appendix A on Page 4 of the TPR. The LEA shall be notified immediately after the appropriate outside emergency agency has been notified.</p> <p>3. The operator shall maintain, at the facility, accurate <u>daily</u> records of the weight and/or volume of the refuse received. These records shall be made available to the LEA's personnel and the CIWMB's personnel for inspection and shall be maintained on site for a period of at least one year.</p> <p>4. The permitted daily capacity of this facility has been determined to be 1,785 tons per day. On no day shall more than 1,785 tons of non-hazardous solid wastes, including recyclable materials, be received at this facility, unless permission is obtained from the LEA.</p> <p>6. The operator shall provide daily sweeping of the entire transfer facility and all wastes shall be removed from the facility within 24 hours of acceptance. If water is used as the cleaning agent, runoff from such wash downs shall not leave the site and must only go to the drain and clarifier provided.</p> <p>7. The permitted facility operator is responsible to ensure that all subcontractors working onsite are in compliance with all permit conditions.</p> <p>8. The entire area within the permitted boundaries of the site must have adequate drainage control and be free of ponded water within 48 hours of rainfall.</p>	<p>boundaries of the site must have adequate drainage control and be free of ponded water within 48 hours of rainfall.</p> <p>8. All recyclables shall be stored within designated areas in a neat and orderly manner so as not to generate litter, harbor vectors or pose a nuisance.</p>

Findings:

All of the submittals and findings required by Title 27, Section 21685 have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings are summarized in table below. The

documents on which staff's findings are based have been provided to the Deputy Director with this Staff Report and are permanently maintained in the facility files maintained by the Permitting and Assistance Branch.

CCR Title 27 Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated November 21, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	The LEA completed a Five Year Permit Review on February 5, 2010, and provided a copy to the Department on February 10, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facilities Permit	The LEA submitted a proposed solid waste facilities permit on January 24, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on December 2, 2011, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) in the Jurisdiction Product & Compliance Unit found the facility is identified in the Nondisposal Facility Element and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated December 8, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on January 18, 2012. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on December 2, 2011, that the proposed permit is consistent with and supported by the existing CEQA documentation. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Notice was posted by the LEA on January 10, 2012. No oral or written comments were received by the LEA or Department staff.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project, a proposed modified Solid Waste Facilities Permit. Permits staff has determined that the CEQA record can be used to support the Deputy Director's action on the proposed modified permit. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

The facility was inspected by WEEB staff in the Inspections and Enforcement Agency Compliance Unit on January 18, 2012. No violations were noted.

The LEA has not observed any violations of State Minimum Standards during the past five years.

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed modified SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental documents prepared by the City of Los Angeles, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The proposed modified SWFP under consideration is to correct inconsistencies in the Solid Waste Facility Permit language and adjust the site plan to designate an area of the tipping floor for a separate food waste handling area. The project does not include an increase in the permitted daily tonnage, traffic volume, or changes in the days or hours of operation.

The City of Los Angeles, Department of Building and Safety, Solid Waste Local Enforcement (LEA), has provided a finding that the proposed Solid Waste Facility Permit is consistent and supported by 14 CCR, Section 15061(b)(3), that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Department staff prepared a Preliminary Review to determine whether an Exemption is adequate for the Department's concurrence on this proposed Solid Waste Facility Permit. Department staff made the finding/determination that a Categorical Exemption, 14 CCR Section 15301 – Existing Facilities is adequate for the Department's concurrence in this proposed Solid Waste Facility Permit. Staff's finding is based on the fact that there is no expansion of use or change in operations from those authorized under the current Solid Waste Facility Permit.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption for existing facilities (Section 15301), to be filed with the State Clearinghouse after CalRecycle's concurrence in the Modified Solid Waste Facilities Permit proposed by the LEA, in that the proposed permit is to be issued to an existing facility that will not expand its operations from those authorized under the current permit that the LEA issued in 2005. Further, there are no grounds under CEQA for CalRecycle to prepare an environmental document or assume the role of Lead Agency for its consideration of the proposed Modified Solid Waste Facilities Permit.

CalRecycle staff further recommends the Categorical Exemption is adequate for the Deputy Director's environmental evaluation of the proposed project for those project activities which are within the CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed Modified Solid Waste Facilities Permit and

all of its components and supporting documentation, this staff report, the general rule exemption adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed Modified Solid Waste Facilities Permit. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Local Issues:

The project document availability was noticed consistent with SWFP requirements. A review from the public process indicates that environmental justice issues were not identified by the surrounding community (Census Tract 2060.5). 2010 census information indicates that the surrounding population is approximately 51.8% white, 4.4% black or African American, 1.9% American Indian & Alaska Native, 7.3% Asian, 0.0% Native Hawaiian & other Pacific Islander, and 30.7% “some other race” and 3.9% “two or more races.” Approximately 79.3% of the total population described themselves as Hispanic or Latino. 33% of the families in the Census Tract were below the poverty level, according to 2000 census information (2010 income data was not available). Staff has not identified any environmental justice issues related to this item. Staff finds the project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

Public Comments:

On January 10, 2012, the LEA provided a notice consistent with SWFP requirements. The LEA did not receive any comments from the posted public notice. No oral or written public comments have been received by the Department or LEA staff.

Department Staff Actions:

Staff responded to questions from the LEA regarding the permit process. The Department provided an opportunity for public comment during the Monthly Public Meeting on December 13, 2011 and January 17, 2012.